

March 1, 1976

Mr. Clerk, can you tell us what the amendment says?

CLERK: I will read the amendment. It is not in the book, Senator Nichol. You are right. On page 2, line 6, strike the (.) and insert "and the applicant." On page 2, lines 8 and 9, strike "when such rider claim involves money for medical care" and insert "for which he has received payment from a county division of public welfare or the Department of Public Welfare." On page 2, line 13, delete the (.) and insert "provided that nothing in this section shall be construed to deny the right of an applicant or of his personal representative to bring suit for all claims or rights against such third person in his own name or in the name of the personal representative based upon liability for injury, death or medical care, but in such event, the county division of public welfare or the Department of Public Welfare having paid or paying medical assistance benefits to such applicant shall be made a party to the suit for the purpose of reimbursement under the above provided right of subrogation of any benefits paid."

SENATOR NICHOL: Are we going to get this amendment or not or are we just going to vote on it? Okay, thank you.

PRESIDENT: Senator Barnett.

SENATOR BARNETT: Mr. President, I have got a question of either Senator Cavanaugh or Senator Kennedy. I wish Senator Cavanaugh would first take an answer at this. Senator Cavanaugh, would you object if I would move to bracket this bill until Wednesday and you had the amendment printed in the Journal so we could make a decision?

SENATOR CAVANAUGH: My understanding was that it was in the Journal but, no, I don't have any objection. I am sorry it isn't. I was informed by the Clerk that it was.

SENATOR BARNETT: Mr. President, I would like to have unanimous consent to lay this bill over until Wednesday morning and, then, also have this amendment printed in the Journal today.

PRESIDENT: First of all, do you object, Senator Cavanaugh? All right. Now there is a request for unanimous consent to bracket this bill until Wednesday. Is there an objection? There is an objection.

SENATOR BARNETT: Then I would so move.

PRESIDENT: All right. There is a motion that this matter be held until Wednesday. Record your vote. Have you all voted? Please vote on the matter. Record.

CLERK: 16 ayes, 23 nays on motion to bracket, Mr. President.